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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/017,391 02/02/98 LAAKKONEN K 297007778US

LM02/0629

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PERMAN & GREEN
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FAIRFIELD CT 06430

EXAMINER

WONG, A

ART UNIT	PAPER NUMBER
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2735

DATE MAILED:

06/29/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

[Handwritten signature]

Office Action Summary

Application No.
09/017,391

Applicant(s)
Laakkonen

Examiner
Albert Wong

Group Art Unit
2735



☒ Responsive to communication(s) filed on Feb 2, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-10 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-10 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2735

1. The Office action is in response to the application filed February 2, 1998. Claims 1-10 are pending.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims in general are unclear. The terms used are generally unclear and the antecedent basis is not clearly set forth. The following examples should not be viewed as an exhaustive list.

Regarding claim 1, it is not clear what is meant by stages. It is not clear how the production of information is related to the method.

Regarding claim 2, it is not clear what further step is added to the method. The step of pressing the keys to generate an input is not clearly set forth.

Regarding claims 3 and 4, these claim do not make sense and the specification does not clearly define the formulas.

Regarding claim 5, it is not clear how the limitation is related to claim 1.

Regarding claim 6-9, it is not clear how these limitations are related to claim 1.

Regarding claim 10, the body of the claim appears to recite desired functions and does not recite elements or integrates these elements to achieve the desired functions.

Art Unit: 2735

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,5-6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitsuru.

Due to the indefinite nature of the claims a best effort attempt has been made to apply the most appropriate art.

Regarding claim 1, the abstract teaches the step of producing information for a set of characters and the keys are associated with the selected set of characters.

Regarding claim 5, the selection of a set of characters corresponds to the language of the keyboard at the time.

Regarding claim 6, cols. 2-3 states that the selection of a language is done after a key is pressed but that it is also possible for the selection before the pressing of a key. A display means is available to show the characters.

Regarding claim 9, the use of a cursor to select a function and the pressing of a key to select the function once the cursor is properly positioned is shown in Fig, 22. The selection means is shown as items 42-45 of fig. 6.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

Art Unit: 2735

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-4, 7-8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuru in view of Jones. Due to the indefinite nature of the claims a best effort attempt has been made to apply the most appropriate art.

Regarding claims 2-4, Mitsuru does not teach the input of a character in response to successive key presses. Jones teaches in col. 1 that the pressing of a key multiple times to select a function is well known. It would have been obvious to one of ordinary skill in the art that a key that is associated with multiple functions may have its functions selected by the method taught in Jones. Jones is considered to be analogous art because it is in the same keyboard field and solves the same problem.

Regarding claims 7-8, the ordering of the particular functions associated with a key is an obvious design choice. It is well known that function are ordered alphabetically so that their relative positions is easily determined and the ordering of functions that are used most frequently first also facilitates the use of the functions.

Regarding claim 10, this claim essentially recites the apparatus for performing the selection function. Since the method has been shown to be obvious, the device for performing the method would also have been obvious.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2735

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wong whose telephone number is 703-305-8884. The examiner can normally be reached on Monday-Thursday from 8:30-6:00.

If attempts to reach the examiner by phone are unsuccessful, the examiners supervisor Mike Horabik can be reached on 703-305-4704.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-8576.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

703-308-9051, (for formal communications intended for entry)

Or:

703-305-3988 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

ALBERT K. WONG

Serial Number: 09/017,391

Page 6

Art Unit: 2735

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**ALBERT W. WING
PATENT EXAMINER**

June 16, 1999

**MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
GROUP 2700**

Michael Horabik